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DEC 18 2006

OFFICE OF PETITIONS

In re Application of :
William Bolick :
Application No. 10/078,078 : DECISION ON PETITION UNDER
Filed: February 15, 2002 : 37 C.F.R. §1.137(B)
Attorney Docket Number: PBOLIWC :
Title: TRANSVERSELY MOVING :
CABLE CONTROL :

This is a decision on the petition filed August 2, 2006, under 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

On March 8, 2005, the applicant filed an Appeal Brief. On May 27, 2005, the Office mailed a Notification of Non-Compliant Appeal Brief (notice), stating that the Appeal Brief was defective. The notice set a one-month period for response. No response was received, and no extensions of time were requested. Accordingly, the above-identified application became abandoned on June 28, 2005. A notice of abandonment was mailed on June 2, 2006.

¹ A grantable petition pursuant to 37 C.F.R. §1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

With the present petition, Petitioner has submitted the petition fee, another appeal brief, and the proper statement of unintentional delay. No terminal disclaimer is required.

As such, the petition under 37 C.F.R. §1.137(b) is **GRANTED**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the Appeal Brief that was received with the present petition can be processed.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office

² Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. §1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).